

Remarks

Claims 1, 7, 8, 10, 11, 16, 17, 22-30, 34, 36, 37, 42, 45, 46, and 48-50 were pending in the subject application. By this Amendment, claim 42 has been amended, claims 1, 7, 8, 10, 11, 16, 17, 22-30, 34, 36, 37, and 48-50 have been cancelled, and new claims 51-62 have been added. Support for these amendments and new claims can be found throughout the subject specification and in the claims as filed. Entry and consideration of the amendments presented herein is respectfully requested. Accordingly, claims 42, 45, 46, and 51-62 are currently before the Examiner for consideration. Favorable consideration of the pending claims is respectfully requested.

Claims 42, 45, and 46 have been rejected under 35 USC §103(a) as obvious over Adelman *et al.* (2001) in view of Adelman *et al.* (2002). Applicants note that the Examiner lists claim 43 as pending and rejected; however, Applicants canceled claim 43 by their Preliminary Amendment dated August 2, 2005. Applicants assume that the Examiner intended claim 42 to be included under this rejection. Under this rejection, the Examiner asserts that the Adelman *et al.* (2001) reference teaches a method of inhibiting the expression of Dengue virus transcripts in mosquito hosts by RNA interference, comprising delivering to the mosquitoes Sindbis expression vectors encoding either sense or antisense RNA directed against regions of the Dengue virus type 2 genome. The Adelman *et al.* (2002) reference is cited as teaching a plasmid vector encoding an siRNA directed against Dengue virus. Applicants respectfully traverse this rejection.

Applicants respectfully assert that the cited references, taken alone or in combination, do not teach or suggest Applicants' claimed invention. The subject invention has the capacity to block the major dengue virus isotypes; this is not taught or suggested by either of the cited references. Moreover, the cited references only disclose inhibiting the expression of Dengue virus genes within mosquito host cells. In contrast, Applicants' claimed invention specifies that the host is mammalian.

As the Examiner is aware, it is well established in patent law that in order to support a *prima facie* case of obviousness, a person of ordinary skill in the art must find both the suggestion of the claimed invention, and a reasonable expectation of success in making that invention, solely in light of the teachings of the prior art and from the general knowledge in the art. *In re Dow Chemical Co.*, 5 USPQ2d 1529, 1531 (Fed. Cir. 1988). One finds neither the suggestion, nor the reasonable

expectation of success, of Applicants' claimed invention in the cited references. Accordingly, reconsideration and withdrawal of the rejection under 35 USC §103(a) is respectfully requested.

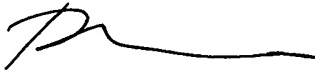
It should be understood that the amendments presented herein have been made solely to expedite prosecution of the subject application to completion and should not be construed as an indication of Applicants' agreement with or acquiescence in the Examiner's position.

In view of the foregoing remarks and amendments to the claims, Applicants believe that the currently pending claims are in condition for allowance, and such action is respectfully requested.

The Commissioner is hereby authorized to charge any fees under 37 CFR §§1.16 or 1.17 as required by this paper to Deposit Account 19-0065.

Applicants invite the Examiner to call the undersigned if clarification is needed on any of this response, or if the Examiner believes a telephonic interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,



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Attachment: Petition and Fee for Extension of Time